

### **REMARKS**

In the above-identified Office Action, the Examiner has rejected claims 1 and 14-15 as being anticipated by a patent to Deaton, et al. Claims 2, 4-5, 9, 16, 18-19 and 24-25 have been rejected as being unpatentable over Deaton, et al. in view of Resnick, et al. Finally, claims 3, 6-8, 17 and 20-23 have been rejected as being unpatentable over Deaton, et al. and Resnick, et al. in view of Hoffberg, et al. Further, claims 10-13 have been rejected as unpatentable over Deaton, et al. in view of Roshkoff, et al. Applicant has canceled claims 1-25 by the above amendments and added new claims 26-45. The independent claims herein 26 and 36 are combinations of claims 1, 2 and 3 and claims 16 and 17 respectively.

Applicant believes that claims 26 and 36 are patentable insofar as they are a combination of the above noted claims and are patentable and improperly rejected by the Examiner as the cited references do not teach sufficient detail so as to make obvious the subject respective inventions. More particularly, in rejecting claims 2 and 16 of the subject application, the Examiner has stated that Resnick teaches the purchase of goods or services at point of sale locations where the point of sale is a vending machine. The only reference Resnick makes to a vending machine is where the Examiner suggests, column 10, lines 1-2, which is in the claims. There is no teaching or suggestion of a vending machine in the specification, and accordingly, Resnick cannot enable or even provide a written description of a use of a vending machine in his invention, and accordingly, such cannot be the basis for a rejection. Further, in rejecting claim 3, the Examiner has applied the references of Deaton, Resnick and Hoffberg, stating that Hoffberg teaches a method and system for encrypting financial information; however, Hoffberg teaches no more than the generic encryption of data which cannot, therefore, lead or suggest that one specifically encrypt point information as within applicant's invention. As such, applicant does not believe that either of claims 26 or 36 as now presented, are obvious over the art cited by the Examiner.

With this amendment, applicant is simultaneously filing a Supplemental Information

Disclosure Statement based on art cited in an Office Action from a related Japanese application (translated portions also enclosed). However, the prior art now cited is different from the present invention in that, these inventions do not have structure as now claimed for "presenting, by a point issuing device provided in an automatic vending machine, point information including a module code and a secret code related to points issued for promotion of sale of merchandise to a user at a time of merchandise sales by the automatic vending machine" and "transmitting to a center device, by operation by the user of a portable terminal carried by the user, the point information presented by the point issuing device, together with identification information for the user" (claim 26).

Further, the prior art of record does not teach or suggest transmitting to a center device the point information presented by a point issuing device by the operation of a user using a portable terminal carried by the user, together with a user identification information (claims 26 and 36).

With the present invention one can achieve sales promotion at the time of sale of merchandise in an automatic vending machine by issuing point information corresponding to the sale of merchandise. In the prior art, the point information is transmitted at the side of the automatic vending machine or at the side of the administrator of the automatic vending machine, and processing becomes troublesome due to space problems and the utilization mode of the automatic vending machine. Therefore, in order to solve this problem, the present invention is designed to:

- 1) directly present to a user, at a time of sale of merchandise from an automatic vending machine, point information from a point issuing device provided in the automatic vending machine; and
- 2) transmit the point information to a center device by the operation of the user using a portable terminal such as a portable telephone set that the user carries, only when the user has the intent to utilize this device, on the basis of the point information presented by the point issuing device.

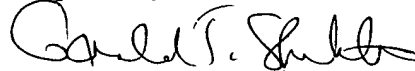
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The prior art of record does not teach or suggest the above.

Applicant hereby requests reconsideration and re-examination thereof.

With the above amendments and the remarks, this application is considered ready for allowance, and Applicants earnestly solicit an early notice of same. If the Examiner believes that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned attorney at the telephone number listed below

Respectfully submitted,



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